

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission)	
on its own motion seeking to)	
establish an interim policy on)	Application No. C-3415
eligible telecommunications)	
carrier standards.)	

COMMENTS BY ALLTEL COMMUNICATIONS OF NEBRASKA, INC.

By Order issued May 4, 2005, in the above captioned docket, the Nebraska Public Service Commission (“Commission”) initiated this proceeding to establish an interim policy for designating eligible telecommunications carrier (“ETC”) status for federal universal service purposes. The Commission opened this proceeding in conjunction with Rule and Regulation No. 165 which is the Commission’s rulemaking proceeding to promulgate ETC designation and reporting standards for purposes of receiving federal universal service support. The Commission’s May 4, 2005, Order requested interested parties to file comments on or before June 6, 2005. ALLTEL Communications of Nebraska, Inc. (“ALLTEL”) respectfully submits as follows:

1. On March 17, 2005, the Federal Communications Commission (“FCC”) released its Report and Order in the Matter of Federal-State Joint Board on Universal Service in Docket No. 96-45 (“Report and Order”). The FCC’s Report and Order adopted detailed comprehensive criteria for designating competitive ETCs aimed at improving the long term sustainability of the universal service fund.
2. By Order issued April 26, 2005, this Commission initiated its own rulemaking proceeding to promulgate rules for designating ETC status for purposes of receiving

federal universal service support in the state of Nebraska. The Commission's proposed rules, in large part, mirror the criteria described in the FCC's March 17, 2005, Report and Order.

3. The Commission, through this proceeding, seeks to adopt many of the rules proposed in Rule and Regulation No. 165 as interim guidelines for designating ETC status for purposes of receiving federal universal service funds in the state of Nebraska. Therefore, the interim guidelines proposed by this Commission also mirror, in large part, the criteria adopted by the FCC. ALLTEL applauds the Commission's initiative to adhere to the FCC's rules establishing appropriate ETC certification guidelines in both this proceeding and in Rule and Regulation No. 165.
4. The FCC conducted an exhaustive investigation and established comprehensive rules for designating competitive ETCs for federal universal service purposes in its March 17, 2005, Report and Order. In the course of its rulemaking, the FCC's considered input from diverse points of view, including service providers, consumer interests and state and federal regulators, among others. The resulting Order establishes a set of comprehensive rules addressing all aspects of ETC certifications and the subsequent receipt of federal universal service support.
5. ALLTEL encourages this Commission to adopt the FCC rules in their entirety, both on an interim and on a permanent basis, and refrain from designing its own state specific rules for designating ETCs for federal universal service purposes. The rules established by the FCC are comprehensive and should be given a sufficient amount of time to demonstrate their effectiveness. In fact the FCC, in its March 17, 2005, Report and Order, encouraged states exercising jurisdiction over ETC designations to

adopt the FCC's requirements when designating ETCs because it allows for a more predictable ETC designation process.

6. Adopting the FCC's rules in their entirety will allow Nebraska to remain consistent with the FCC and other states in their designation of ETCs for federal universal service purposes. Consistency among states' requirements will increase efficiency among ETCs and benefit customers. In fact, the FCC cautioned states against imposing additional requirements on competitive ETCs for the sake of preserving regulatory parity.
7. Finally, ALLTEL urges this Commission to move forward with the ETC applications currently pending before this Commission, without further delay. Once this Commission designates wireless carriers as ETCs, Nebraska wireless customers will begin receiving a benefit from the federal universal service fund that is more in line with the amount of money they contribute into the program.

Conclusion

The rules and processes established by the FCC after an exhaustive review address the same issues under consideration by the Commission in this interim policy docket and Rule and Regulation No. 165. Therefore, ALLTEL urges this Commission to adopt the FCC's rules rather than promulgating its own rules for designating ETC status to competitive providers for receiving federal universal service.

Respectfully submitted,

ALLTEL COMMUNICATIONS OF NEBRASKA, INC.

BY: _____

DATE: _____